STATEMENT OF SENATOR DANIEL K. AKAKA

Susan Tsui Grundmann to be Chairman and Anne Marie Wagner to be Member, Merit Systems Protection Board

Nomination Hearing Senate Committee on Homeland Security and Governmental Affairs

Today the Committee on Homeland Security and Governmental Affairs meets to consider the nominations of Susan Tsui Grundmann to be Chairman of the Merit Systems Protection Board (MSPB), and Anne Marie Wagner to be Vice Chairman.

Ms. Grundmann has been an advocate for Federal workers for the past 20 years. Since 2002, Ms. Grundmann has served as General Counsel to the National Federation of Federal Employees, a union which represents approximately 100,000 Federal employees throughout the country. Prior to that, she served as General Counsel to the National Association of Air Traffic Controllers. Ms. Grundmann attended the American University and received her law degree from Georgetown University.

Ms. Wagner likewise has strong experience with the Federal workforce. She currently serves as the General Counsel to the Personnel Appeals Board, which decides personnel disputes within the U.S. Government Accountability Office (GAO). Prior to that, she served as a member of that Board for six years. Before joining GAO, Ms. Wagner worked for 20 years as Assistant General Counsel to the American Federation of Government Employees, the largest Federal employee union, which represents many employees in my home state of Hawai'i. Ms. Wagner graduated from the University of Notre Dame and received her law degree from the George Washington University.

Our dedicated Federal employees are among this country's greatest assets. Civil servants must be able to serve their country without undue influence or fear of discrimination at the workplace. The MSPB was created to safeguard the merit system principles and to help ensure that Federal employees are free from discrimination and retaliation at the workplace. If confirmed, I expect these nominees to be strong advocates for the merit system and the Federal workforce.

One of the <u>most</u> important responsibilities of the Board is to adjudicate claims brought by Federal employee whistleblowers. For almost a decade, I have worked to reform the process for protecting Federal whistleblowers. As the sponsor of the Whistleblower Protection Enhancement Act of 2009 (S.372), I believe that one of the key tenets of the Federal merit systems is the ability of Federal employees to report waste, fraud, and abuse without fear of retaliation.

For too long, Federal whistleblowers have not received the protection they need. Since the year 2000, the Board has repeatedly misapplied Congressional intent with respect to whistleblower protection. I am hopeful that with new statutory protections – and additional Board members who understand the important role of whistleblower protections – Federal employees will feel confident again that they can report waste, fraud, abuse, or illegal activity, without risking their professional and financial futures.